

B"H

Wednesday the 24<sup>th</sup> of Shvat 5783

## An In-Depth Analysis of the Rebbe's Letter

By Eliyahu Uminer

Reb Nochum Zajac [recently published](#) a letter from the Rebbe concerning the Manhattan Eruv. He presented it as an unpublished letter, however, it had been published [many years prior](#)<sup>1</sup>. The only distinction in his letter is the presence of an additional paragraph, as well as some modifications to the grammar.

The following is the additional paragraph found at the beginning of letter that he published:

My brother-in-law, RSG [Rabbi Shmaryahu Gurary], informed me yesterday of your desire to discuss with me, in the presence of your colleagues, the question of an eruv for Manhattan. Although, because of the sanctity of Chol Hamoed, my correspondence is generally suspended during these intermediate days, I hasten to convey to you my views on this matter.

The inclusion of this extra paragraph in the letter from the Rebbe regarding the Manhattan Eruv does not alter its core content or message. Both letters bear the same date, and any assertion that it is a new letter is erroneous.

Given that Reb Zajac's interpretation of the Rebbe's letter was misguided, I will quote each paragraph of the letter, with a clear and accurate understanding of the Rebbe's letter.

**As I embark on an analysis of the Rebbe's letter, I would like to emphasize that it is an established fact<sup>2</sup> that the Rebbe provided enthusiastic support and financial contributions to multiple public *eruvim* in cities both large and small. Therefore, attempts to apply the particular concerns expressed in this letter to ALL *eruvim* are both wrong and misleading.**

In order to truly grasp the Rebbe's viewpoint on *eruv*, it is imperative to delve into the specific type of eruv that elicited the Rebbe's concerns. This requires a dedicated and thorough examination.

Additionally, there are two other important statements of principle made by the Rebbe that must be mentioned before we proceed.

1. [The Rebbe states](#)<sup>3</sup>

That a letter written to one individual may not be relevant to another, even if the content of the questions are identical, as most of my letter's contents are contingent

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<sup>1</sup> Junior code of law, page 206.

<sup>2</sup> As I will outline in the article.

<sup>3</sup> [Igros Kodesh, chelek 24 amud 19](#).

upon the manner in which the question was asked, the inquirer's temperament, and other factors etc.

2. The Rebbe states<sup>4</sup>

If my letter is against *Shulchan Aruch* it is nullified.

The Rebbe further states<sup>5</sup> that I announced at farbrengen it is foolish to say in my name something that is against *Shulchon Aruch*, and only a fool would believe it.

The reason why the Rebbe was empathic regarding these principles is, in fact, demonstrated by the various interpretations given to this letter of the Rebbe. With these interpretations both of the Rebbe's principles have been disregarded in such a brazen way, requiring us to reiterate the Rebbe's statements.

As to the first principle, one simply can't understand the meaning of any letter if one removes it out of context of the correspondence between the parties. In this case, we happen to have the preceding letter and we know what was the Rebbe's objection to the Manhattan Eruv. It was **not** a general objection to the establishment of ANY *eruv*, but an objection to making a public *eruv* that relied on the leniency of "*mechitzos of the ocean*." We will explain this in detail further on.

Regarding the second principle: of course, no letter of the Rebbe's was ever "against the *Shulchan Aruch*". The meaning of this principle is that if anyone interprets any letter of the Rebbe as being against *Shulchan Aruch*, they should be told to disregard that letter. Meaning that no one may use any letter of the Rebbe to make a statement contrary to the *Shulchan Aruch*. This is exactly what those in opposition to *eruvim* are doing. They are inaccurately claiming that the Rebbe instituted a *gezeira* against *takonos Chazal* thereby nullifying the *mitzvah* of building an *eruv*, *r"l*.

### **Analysis of the Rebbe's Letter**<sup>6</sup>

As you will surely recall, the matter was raised a few years ago, **when I expressed my position, which has not changed**. However, since I do not know if you are fully informed of it, I will reiterate the **main points of my viewpoint relative to this matter**.

It is noteworthy that the Rebbe only emphasizes the main points of his viewpoint regarding the matter of the Manhattan Eruv, indicating that the purpose of this letter is not to provide a comprehensive explanation of the Rebbe's position regarding all *eruvim*, but rather to clearly outline his stance on the Manhattan Eruv.

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<sup>4</sup> [Otzar Hamelech, amud 210.](#)

<sup>5</sup> [Otzar Hamelech, amud 212.](#)

<sup>6</sup> From the Nissin Mindel archives, which currently was republished.

Furthermore, it is imperative to recognize the unchanging position of the Rebbe on the matter of the Manhattan Eruv, as articulated in this letter. Thus, in order to gain a precise perspective of the Rebbe's stance, it is critical to refer to the [letter addressed to Harav Moskowitz zt"l](#),<sup>7</sup> which provides insight after the completion of the Manhattan Eruv.<sup>8</sup> In this letter the Rebbe states:

Regarding your request for a *haskoma* it is well known that this isn't the custom of *Beis Harav*, and *minhog avoseinu byodainu*, especially that I don't have the time to delve into the *sefer* as is required. More so and the main reason for me – that in all these *halochos* I am riding the coattails of the Alter Rebbe the author of the *Tanya* and *Shulchon Aruch*, and my custom is *davka* like the Alter Rebbe.

Understandingly this also applies to what he wrote in his [Shulchon Aruch](#)<sup>9</sup> that the ocean can't be used as a *mechitzah*.<sup>10 11</sup>

Therefore, you shouldn't make a *brocha* for this *eruv*, nevertheless it is a big and wonderful merit [as he will still be saving those who carry inadvertently or advertently *c"v*] nevertheless I am certain that you shouldn't print this *kuntreis*<sup>12</sup> or publicize that you finished the *eruv* in another manner (at least according to your opinion) [since according to the Rebbe's opinion this *eruv* was not *lchatchilla*].

Regarding what you wrote at conclusion of the *kuntreis* that the publicizing of the *eruv*, will save those who carry in spite like brought in *Gemora (Nozir, daf 23 amud 1)*,<sup>13 14</sup> surely you can surmise that some of these people acting out of spite, will know about *eruv* thru reading these *kuntereism*.

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<sup>7</sup> [Igros Kodesh, Chelek 16, page 307.](#)

<sup>8</sup> He was one of the main architects of the Manhattan Eruv, and the Rebbe is seemingly referencing to the letters addressed to him.

<sup>9</sup> [Siman 363, Sif 35.](#)

<sup>10</sup> The Rebbe goes on to negate an argument of Rav Moskowitz as to why this wouldn't apply to Manhattan, but this isn't relevant to understanding the Rebbe's position, as the bottom line is that the Rebbe was certain that this applied to the Manhattan Eruv.

<sup>11</sup> It is important to note that the Rebbe's issue with the Manhattan Eruv was only concerning this *gezeira*, and not regarding the possibility that Manhattan may have fulfilled all the criteria of a *reshus harabbim d'Oraysa*. It is clearly evident from the Rebbe's letters, that the Rebbe maintained that there was no issue of *reshus harabbim* in Manhattan, or in other large cities, but it is beyond the scope of this article.

For more in depth articles regarding the Rebbes position on *rh"r* please see the articles of, [Harav Avishid shlita](#), and [Harav Yechiel Kalmenson shlita](#), and much more, available at [www.chabaderuv.com](http://www.chabaderuv.com).

<sup>12</sup> As the purpose of the *kuntreis* was to explain why the Manhattan Eruv is kosher.

<sup>13</sup> As the *Gemara* explains, if someone attempts to do an *aveira* out of spite, and it turns out that it was not an *aveira*, he still gets punished.

<sup>14</sup> Of course, there is no reason for the Rebbe to negate the benefit of establishing an *eruv* for *Oneg Shabbos*, as it is obvious that an *eruv* that isn't *kosher lchatchilla* isn't only for the purpose of *Oneg Shabbos*.

However regarding the religious Jews, that *Chazal* state that they are (*moira hetter lnafshei*) have a tendency to look for ways to justify lenient behavior and excuse themselves from strict observance of Torah, thus the announcement of this *eruv* will lead them to *pirtzos* breach in their religious practices, [in this case carrying in an *eruv* not kosher *lchatchilla*] and once it is publicized it won't be possible to rectify it, even if you wanted to.<sup>15</sup>

To summarize we see quite clearly that in essence, the Rebbe's concern with the Manhattan Eruv was its lack of attaining a kosher *lchatchilla* status as it relied on the ocean as a *mechitzah*, which would prompt the religious Jews, who are naturally inclined to seek leniencies, to carry in this *bedieved eruv* upon knowledge of its existence. Despite this, the Rebbe still viewed the completion of the *eruv* as positive since it would provide a safeguard for individuals who were already carrying, inadvertently or advertently *r"l*.

### Why the Ocean Cannot Be Used as a Mechitza

To fully comprehend the Rebbe's letter, it is of utmost importance to comprehend the reason why the ocean cannot serve as a *mechitzah*, as this is a central aspect to the letters message.

[The Alter Rebbe](#)<sup>16</sup> first presents the *Mechaber's* perspective that the ocean can be used as a *mechitzah*, before presenting the opposing viewpoint of the *Rama*. The *Rama* argues that the ocean cannot be considered a valid *mechitzah* due to a *gezeira* from *Chazal*, (*shemo yale hayam sirton*) who were concerned that a strong wave could disrupt a makeshift *mechitzah* made of sand and stones, leading to a situation where the *eruv* is invalidated and individuals would continue carrying, despite the lack of a valid *mechitza c"v*,<sup>17</sup> the Alter Rebbe concludes that the *Rama's* opinion is the prevailing one.

The *Chok Yaakov*,<sup>18</sup> offers a more comprehensive analysis of the issue, highlighting the risk of individuals carrying when ocean-based *mechitzos* are invalidated due to the infrequency of waves disrupting the *mechitzah* (*shemo yale hayam sirton*). The *gezeira*, it is emphasized, pertains solely to ocean-based *mechitzos*. **It is worth noting that there is a universal agreement among**

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<sup>15</sup> Since once people know that there is an *eruv* (albeit *bedieved*) they will be *moira hetter* to carry in it, and they will not accept an argument otherwise.

<sup>16</sup> [Orach Chayim siman 363 sif 35](#).

<sup>17</sup> When we say that the ocean is a *mechitzah*, we are referring to the fact that typically next to the ocean there is a mound of sand and stones that rises to the height of ten *tefachim* over the span of four *amos*.

<sup>18</sup> *Tshuvos Shev Yaakov, Chelek Aleph Siman 1.7*

**the *Poskim* that this *gezeira* of *Chazal* does not extend to man-made *mechitzos* such as walls and *tzuras hapesachim*.<sup>19 20</sup>**

### **The English Letter Continued**

First of all, as a matter of principle, my opinion is that where according to the *din* an *eruv* can be instituted, it should be so instituted. This is based on the opinion of many *poskim*, including that of *Admor HaZaken* in his *Shulchan Aruch*.

Here the *Rebbe* makes it abundantly clear that whenever an *eruv* can be instituted it **should** be instituted.<sup>21</sup>

Secondly, special consideration has to be given to the state of affairs and attitudes in respect to the observance of the *mitzvos* in the present day and age, which has a particular bearing on the problem under discussion. I have in mind the precaution which **such an *eruv* calls for under the best of circumstances, and certainly here and now**, against the possibility of the *eruv* becoming *pasul*.

In this letter, the *Rebbe* underscores the significance of considering the current state of affairs and how it impacts the issue at hand. The *Rebbe* emphasizes the need for utmost caution in establishing **such an *eruv***, (relying on the ocean as a *mechitzah*). The *Rebbe* makes it clear that his concerns with **such an *eruv*** are not limited to our present generation but are applicable to all generations, albeit more relevant in our generation. It is not a new *gezeira*, but rather a reiteration of the longstanding caution required when establishing **such an *eruv***.

In the old days, when there was a close contact between the Jewish community (“the man in the street”) and the *Beit Din* or *Rav*, the invalidation of the *eruv*, and the consequent resumption of the pre-*eruv* state of the prohibition against carrying on *Shabbat*, could be communicated fairly easily to the “man in the street” **and no harm was done**.

### **Why Our Generation is Different Regarding Eruvin**

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<sup>19</sup> The *Taz* raises the issue of the validity of river-based *mechitzos* in areas where the river freezes over during the winter, rendering the *mechitzah* invalid. He concludes that it is forbidden to carry in these areas even during the summer, due to the possibility of individuals mistakenly assuming that carrying is permissible in the winter. The *Alter Rebbe* similarly discusses this issue in *Siman* 363, *Sif* 35, though he does not adopt the *Taz*'s ruling. Nevertheless, the *Alter Rebbe* recognizes the *Taz*'s position as a commendable practice.

<sup>20</sup> It is apparent that the reason the *Rebbe* didn't reiterate in this English letter that the *eruv* was not kosher *lchatchilla*, was because this letter was printed six years later, two years after the *eruv* was already publicized, and people were already carrying in this *eruv*, therefore the *Rebbe* didn't want to *c"v* call them *mechalelei Shabbos*.

<sup>21</sup> *Reb Zajac*'s exposes his own bias when he attempts to explain why it is permitted to make an *eruv*, since the *Rebbe*'s words are very clear.

The Rebbe sheds light on why the concept of **such an eruv** posed less of a concern in the past compared to present times. The Rebbe explains that if an *eruv* were to become invalid, the information would promptly spread among the community and people would refrain from carrying, thus no harm was done. Which raises the question what does the Rebbe mean by saying no harm is done?

The ruling in the Alter Rebbe's *Shulchon Aruch*, which the Rebbe cites in his letters, stating that *Chazal's gezeira* not to rely on ocean walls as a *mechitzah*, is in order to safeguard against the possibility of the waves destroying the *mechitzos* and invalidating the *eruv*. As a result, people would continue carrying. This raises the question: can we override a *gezeira* instituted by *Chazal* even if we have taken measures to prevent the problem? In fact, we cannot nullify a *gezeira* instituted by *Chazal*, even if we take measures to prevent the potential stumbling block.

Apparently, some rabbanim sought an audience with the Rebbe to discuss the permissibility of carrying in the Manhattan Eruv, even though it did not conform to the Alter Rebbe's *Shulchon Aruch*.<sup>22</sup> As in the past, many *poskim* were lenient in this regard, as evident from the first *eruv* in Warsaw, which made use of the ocean as a *mechitzah*. Evidently, the Rebbe was arguing why he believed, that despite the leniency taken by certain *poskim* in the past, in this generation we cannot continue to be lenient. The Rebbe emphasized that in this era, the concerns raised by *Chazal* are a reality and must be followed.

Nowadays, unfortunately the position is different. While the institution of the *eruv* would quickly become common knowledge, not only through various media of communication, but also by word of mouth, the rescinding of it in case of its invalidation, would only reach those who are in contact with the Rabbinical authorities, or who attend the synagogue regularly; whereas many would remain in ignorance of the changed situation. Moreover, many of those who might get into the habit of carrying on Shabbat on the strength of an *eruv*, might not so readily discontinue to do so even if they became aware of the breakdown in the *eruv*; and this contingency is particularly to be considered in relation to the Jewish youth in this country.

The Rebbe provides a comprehensive explanation as to why, in this generation and specifically in Manhattan at that time,<sup>23</sup> the concerns of *Chazal* are of utmost importance and relevance.

In view of the above, it is an absolute necessity, in my opinion, that the *eruv*, if one is **feasible at all** according to *din*, should be carried out in the utmost secrecy. This

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<sup>22</sup> As is self-understood the *rabbanim* in Manhattan weren't beholden to *pasken* like the Alter Rebbe, unlike Chabad.

<sup>23</sup> Accordingly, one can argue that in today's day and age, where we can easily reach everyone via email, text, WhatsApp etc., that this concern isn't such an issue, although for Chabad Chassidim this does not really matter as we follow the Alter Rebbe *shu"u*, and the *gezeira* regarding ocean walls applies, even if isn't as much of a *chashash* today.

means that the purpose of the eiruv would be not to enable a Jew to carry his *tallis* to shul on Shabbat, but only to relieve those who already transgress the Shabbat by carrying things, from doing so b'Issur (under prohibition).

### Why Such an Eruv Must Be Kept Secret

The Rebbe concludes that the establishment of **such an eruv** must be carried out with the utmost discretion and secrecy if it is feasible according to *Shulchan Aruch*. Although it may seem that the Rebbe is even referring to *eruvim* that conform strictly to the *Shulchan Aruch*, the Rebbe's use of the phrase "**if it is feasible at all**" indicates that he is referring to the Manhattan Eruv, which was considered valid according to the Alter Rebbe's *Shulchan Aruch*. As we have noted earlier, the Alter Rebbe acknowledged the view of the *Mechaber*, who ruled that the ocean may be used as a *mechitzah*, though the Alter Rebbe concluded that the prevailing view is that of the *Rama* who ruled that the ocean cannot be used as a *mechitzah* (*shemo yale hayam sirton*). Thus, **such an eruv** would be considered **feasible** according to the Alter Rebbe's *Shulchan Aruch*, sufficient for saving Jews who are already carrying, but cannot be relied upon as a preferred *halachic* option.

Accordingly, the Rebbe emphasizes that the purpose of the *eruv* should not be to carry a *tallis* to the shul, as this *eruv* is not meant for enhancing *Oneg Shabbos*. It would be misguided to infer from this that the Rebbe is negating the rulings and customs of great halakhic authorities, including the Arizal,<sup>24</sup> who carried his *tallis* to *shul* every Shabbos without verifying the validity of the *eruv*, or the universal custom of past generations who used the *eruv* for the purpose of enhancing *Oneg Shabbos*.

It would not be credible to claim that the Rebbe disregarded the established practices and rulings of past Gedolei Haposkim in a casual manner, expressed through a private English letter.

The Rebbe quoted<sup>25</sup> the views of prominent halakhic authorities, such as the Chassam Sofer,<sup>26</sup> who believed that an *eruv* was established to alleviate the hardship of individuals who could not carry objects, such as a *siddur* or a *tallis*, to shul. The Rebbe also cited the Prisha,<sup>27</sup> who maintained that an *eruv* was created by *Chazal* to allow individuals to take leisure walks and carry necessary items, including food, in observance of the mitzvah of enhancing the joy of the Shabbos.

Thirdly, and this too is an essential point in my position: the opinion expressed in the first conditional paragraph, namely, that where an eiruv is permissible according to the din it should be instituted, is based, of course, on the general principle indicated above. However, it expresses no opinion regarding any

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<sup>24</sup> See *Shar Hakovonos, amud 6* and *Nimukei Orach Chayim*, from the *Minchos Eleazar*, [Hilchos Shabbos, page 229](#).

<sup>25</sup> [Igras Kodesh chelek 9 amud, 43](#) and *amud 165*.

<sup>26</sup> [Orach Chaim, siman 99](#).

<sup>27</sup> [Likutei Sichos chelek 11, page 64](#).

particular place, such as Manhattan in this case, as to whether or not it indeed qualifies for an eiruv according to the din. This is a matter to be decided by the Rabbinical authorities who have thoroughly investigated the pertinent details in full accord with the Hilchot Eiruv.

The Rebbe emphasizes that he is not offering a halachic ruling on the issue of constructing an eruv in Manhattan. This is a matter to be decided by expert rabbinic authorities, a common practice as the Rebbe did not wish to issue halachic rulings.

Fourthly, assuming that it be agreed that the eiruv should be instituted without publicity, as above, the question may be asked whether it would be warranted to follow the **more lenient view of some posekim** regarding the qualifications of the place, in order to remove the transgression of those who carry in any case (inasmuch as the eiruv would not be intended to induce Shabbat observer to carry on Shabbat).

However, this would not be right, in my opinion, for two important reasons: a) a Rov, or Rabbinical authority, **should always act only in strict adherence to the Shulchan Aruch in every detail**; and b) it is inevitable that the existence of an eiruv would not become known to limited circles, with the result that some individuals would be tempted to **accept it on its face value**, especially in this country where there is a strong tendency to find hetterim and make religious observance more “convenient.” Hence, it is my considered opinion that not only should the eiruv be done in the utmost secrecy, but that it should be done only if the place strictly qualifies for it in accordance with the din.

May I take this opportunity to extend to you and yours my prayerful wishes for a continued kosher and happy Pesach.

With blessing,

(By reason of Chol HaMoed, this letter is left unsigned)"

### **The Rebbe Clarifies That We Must Follow Shulchan Aruch**

The Rebbe firmly refutes the notion that the utilization of minority opinions can be relied upon to establish an *eruv*, being that it won't be publicized regardless. the Rebbe emphasizes that a rav must adhere strictly to the *Shulchan Aruch* in every aspect, and it appears that some individuals have misinterpreted this to mean that even an *eruv* that is kosher *lechatchilla* according to *Shulchan Aruch* must be kept confidential.

However, it is important to note that this interpretation is inaccurate. As previously mentioned, the Manhattan Eruv was valid *bedieved* according to the Alter Rebbe's *Shulchan*



*Aruch*. However, the Alter Rebbe ultimately ruled that the prevailing view is that the ocean cannot be used as a *mechitzah*, as per the ruling of the *Rama*. Therefore, if one strictly adheres to the Alter Rebbe's *Shulchan Aruch*, they must establish such an *eruv* in order to exempt individuals from the prohibition of carrying, but it cannot be relied upon *lchatchilla*.

What the Rebbe is negating is establishing an *eruv* that relies on minority opinions not in accordance with *Shulchan Aruch* even if established secretly.

The strongest demonstration of this perspective lies in the Rebbe's support and encouragement of the Manhattan Eruv,<sup>28</sup> (to be carried out discreetly), even though it did not align with the Alter Rebbe's *Shulchan Aruch lchatchilla*, this clearly indicates the Rebbe's stance. Moreover, as previously mentioned, the Rebbe clearly states in his letter that he is referring to "**such an *eruv***," reinforcing that his remarks are not all-encompassing.

### **Why Wasn't the Rebbe More Explicit That This Does Not Apply to an Eruv Kosher Lchatchilla?**

The question arises, why was the Rebbe not more explicit in specifying that his remarks do not pertain to an *eruv* that follows the highest standard?<sup>29</sup> However, the answer to this inquiry is straightforward: The Rebbe likely didn't imagine that anyone would interpret his comments in a private letter as creating a new *gezeira* to negate the rulings of previous *poskim*, which would prohibit the establishment of an *eruv*. **Especially, considering that the Rebbe when [asked by Harav Moskowitz](#)<sup>30</sup> what is the proper approach to eruvin today? [The Rebbe answered](#)<sup>31</sup> emphatically by quoting the *Gedolei Haposkim*, [Rosh](#),<sup>32</sup> [Tashbatz](#),<sup>33</sup> [Chassam Sofer](#),<sup>34</sup> [Shita Mekubetzes](#),<sup>35</sup> [Beis Av](#)<sup>36</sup>, asserting beyond any doubt that *eruv* is a mitzvah that must be fulfilled and is also aimed at enhancing the enjoyment of the Shabbos. Additionally, the Rebbe encouraged many public *eruv*.**

It is noteworthy that the Rebbe began this correspondence with the intention of emphasizing this point:

**First of all, as a matter of principle, my opinion is that where according to the din an *eruv* can be instituted, it should be instituted. This is based on the**

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<sup>29</sup> [As we saw in the letter cited above from \*Igros Kodesh, chelek 16 amud 307\*](#)

<sup>30</sup> [Tikkun Eruvin amud 67](#)

<sup>31</sup> [Igros Kodesh chelek 9 amud 42-43](#) and *amud 166*

<sup>32</sup> [Tshuvos Harosh klal 21](#)

<sup>33</sup> [Chelek 2 simman 37](#)

<sup>34</sup> [Orach Chayim simman 99](#)

<sup>35</sup> [Beitza daf tes zaying amud beis](#)

<sup>36</sup> [Tenina simman aleph](#)

**opinion of many poskim, including that of Admor HaZaken in his Shulchan Aruch.**

In order to ensure the specificity of the subsequent considerations regarding the implementation of **such an eruv**.

In this particular letter, the Rebbe's main objective was to address the concerns of the rabbanim seeking to permit carrying within the Manhattan Eruv, which at the time could only be established through the use of the ocean walls instead of *tzuras hapesachim* due to the lack of permits.<sup>37</sup>

This accounts for why Harav Moskowitz *zt"l* and Harav Eisenstadt *zt"l* pursued the establishment of an *eruv* in Manhattan despite opposition from the highly regarded *posek*, Harav Moshe Feinstein *zt"l*, who lived in the city. This may evoke the query of *chutzpa*, as to why establish an *eruv* in a location where Harav Moshe was residing, but not in their own communities of Flatbush and Crown Heights. The differentiation is in the existing conditions of the two boroughs, with Manhattan being fully enclosed as an island and Brooklyn necessitating the formation of many *tzuras hapesachim*, provides an explanation for their behavior.

**General Approach to All Letters of the Rebbe**

Additionally, it is crucial to understand that those advocating for an interpretation of the Rebbe's letter, suggesting that the Rebbe's reservations apply to all *eruvim*, thereby disregarding the established consensus among all *poskim* who universally agree that the Rebbe's concerns were limited to *eruvim* utilizing ocean walls as their *mechitzos* (*shemo yale hayam sirton*).

Are going against the Rebbe's own clear instructions [as the Rebbe states](#).<sup>38</sup>

That it's known in all groups of Jews, that a rov must pasken **only according to Shulchan Aruch** and not according to hints in my letter etc, **and not even according to my letters as if my letter is against Shulchan Aruch it is nullified.**

The mitzvah of establishing *eruvim* is widely recognized in the *Shulchan Aruch* of the Alter Rebbe and among all *poskim*. Furthermore, great halachic authorities have *lchatchilla* made use of *eruvim*, including the [Arizal](#), [Bnei Yissacher](#), [Minchas Elazar](#),<sup>39</sup> and the [Alter Rebbe's own family](#).<sup>40</sup>

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<sup>37</sup> As the letter of the Rebbe quoted at the beginning of article states that his letters are in fact written this way, only for specific situations.

<sup>38</sup> [Otzar Hamelech, omud 210](#).

<sup>39</sup> See [Shar Hakovonos, amud 6](#), and [Nimukei Orach Chayim](#), from the [Minchas Eleazar](#), [Hilchos Shabbos, page 229](#).

<sup>40</sup> [Sefer Hasichos Rayatz 5704 page 64](#)

Additionally, the Rebbe<sup>41</sup> quoted the [Chassam Sofer](#),<sup>42</sup> and the [Prisha](#),<sup>43</sup> who state that the purpose of an *eruv* is to enhance *Oneg Shabbos*.<sup>44</sup>

There is no doubt that the Rebbe never wrote anything in opposition to the *Shulchan Aruch*. However, the Rebbe was aware of the passion and love that his followers held for him, and feared that in their zeal, they may interpret the Rebbe's letters in a manner that reinterprets the *Shulchan Aruch*, rather than understanding the Rebbe's letters in accordance with the *Shulchan Aruch*. Therefore, the Rebbe made it clear that a rav must make his rulings based solely on the *Shulchan Aruch* and not based on his letters.

Some people argue that they have seen with their own eyes how people continued carrying in an *eruv* made of *tzuras hapesachim* after the *eruv* was announced to be down.

However, we have seen people *nichshel* eating *treifos*, and we don't make a *gezeira* against *shechita*. And we see people who are *nichshel* in an *issur d'Oraysa* because of *eruv tavshilin*, as they cook on *Yom Tov* right before *Shabbos*, and yet we don't make a *gezeira* against *eruv tavshilin*.

### **Eruvin that the Rebbe Supported**

The Rebbe demonstrated support for several public *eruvim*, as documented in his letters. These include:

- (1) [Kfar Chabad](#)<sup>45</sup>
- (2) [Miami](#)<sup>46</sup>
- (3) [Moshav Bar Gurya](#)<sup>47</sup>, where he also made [financial contributions](#).

Additionally, there is testimony of the Rebbe's support for four additional public *eruvim*:

- (4) Beverly Hills, California, where he donated \$18 to Harav Tzinner *shlita* on the condition that a *vad* would be established to oversee and maintain the *eruv*, as related by Harav Tzinner *shlita*.
- (5) Queens, as related by Harav Simcha Piekarski *shlita*, and with the same condition of a *vad* for maintenance.

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<sup>41</sup> See [Igros Kodesh, chelek 9 amud 43](#), and 166

<sup>42</sup> [Orach Chayim simman 99](#)

<sup>43</sup> [Likutei Sichos chelek 11 amud 64](#)

<sup>44</sup> It is incorrect to argue that, interpreting the Rebbe's letter that one must only make an *eruv* in secrecy isn't against *Shulchan Aruch* since we can build an *eruv* in secret, thereby fulfilling the requirement to establish an *eruv* according to the *Shulchan Aruch*. This is because the construction of an *eruv* requires the participation of many people and a significant amount of funding, which cannot be kept secret. In addition, keeping an *eruv* secret would also prevent its use, which goes against the principles of the *Shulchan Aruch*. However, in the specific instance where the Rebbe recommended to keep the *eruv* secret, the cost was minimal because they were utilizing the natural partitions of the ocean. However, carrying within the *eruv* was proscribed by the *Shulchan Aruch*.

<sup>45</sup> [Igros Kodesh, chelek 13 amud 396](#).

<sup>46</sup> [Igros Kodesh, chelek 22 amud 265](#).

<sup>47</sup> [Tshura from harav levi Holtzman shlita wedding, Sefer Shlichus Khalocha amud 194](#), also [Igros Kodesh, chelek 20 amud 149](#), and [amud 306](#).

(6) Rockaway, NJ, as related by Harav Asher Herson *shlita*<sup>48</sup>.

(7) *Bnei Brak*, established by Harav Yaakov Landau *zt"l*, as reported in "[Kol Kore](#),"<sup>49</sup> by Harav Yehoram Ulman *Shlita*, Harav Moshe Dovid Gutnick *shlita*, Harav Pinchos Feldman *shlita*, who were informed by Harav Moshe Landau *zt"l* that the Rebbe encouraged Harav Yaakov Landau to establish *eruv*.

To summarize, it is clear from the Rebbe's letter when studied in depth that he had no intention of making a *gezeira* against the mitzvah of *eruv*. And certainly, if he did want to do that, it would have been communicated clearly with explanations and thorough justifications.

### **Rather what we see is that the Rebbe's stance on eruv is**

An <i>eruv</i> kosher <i>lchatchila</i> with proper infrastructure (responsible <i>vaad</i> to inspect and maintain it).	The Rebbe gave enthusiastic public support.
An <i>eruv</i> kosher <i>bedieved</i> that is based on legitimate halachic leniencies.	Should be established secretly.
An <i>eruv</i> that relies on <i>heterim</i> in opposition to <i>Shulchan Aruch</i> .	Should not to be instituted even if done secretly.

In conclusion, I hope that all parties involved will approach this subject with an open mind and engage in respectful discourse. By doing so, we can work towards a resolution that aligns with our cherished principles and values. May we merit the [Rebbe's blessing in regard to the establishment of the Kfar Chabad Eruv](#),<sup>50</sup> where The Rebbe expressed that thru this accomplishment, which adds in *Shmiras Shabbos* may we merit to bring closer the redemption in actuality.

*Vhaemes vhasholom ohavu*

Respectfully

Eliyahu Uminer

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<sup>48</sup> <https://www.youtube.com/>

<sup>49</sup> Can be seen at [www.chabaderuv.com](http://www.chabaderuv.com)

<sup>50</sup> *Igros Kodesh, chelek 13 amud 396.*